

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

JASON VASSIOS,

Plaintiff,

v.

CASE NO:
HONORABLE:

COUNTY OF VAN BUREN, and ANTHONY TURNER, in his individual and
official capacity,

Defendants.

CHRISTOPHER TRAINOR & ASSOCIATES CHRISTOPHER J. TRAINOR (P42449) AMY J. DEROUIN (P70514) Attorneys for Plaintiff 9750 Highland Road White Lake, MI 48386 (248) 886-8650 / (248) 698-3321-FAX amy.derouin@cjtrainor.com	
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THERE IS NO OTHER PENDING OR RESOLVED ACTION ARISING OUT
OF THE TRANSACTION OR OCCURRENCE ALLEGED IN THE
COMPLAINT

COMPLAINT AND JURY DEMAND

NOW COMES Plaintiff, **JASON VASSIOS**, by and through his attorneys,
CHRISTOPHER TRAINOR & ASSOCIATES, and for his Complaint against the
above-named Defendants states as follows:

1. Plaintiff is currently a resident of the County of Cook, State of Illinois.
2. Defendant COUNTY OF VAN BUREN is a municipal corporation and

governmental subdivision which is organized and existing under the laws of the State of Michigan.

3. Defendant TURNER is and/or was a police officer working for and/or assigned to the Van Buren County Sheriff's Office and at all times mentioned herein was acting under color of law, in his individual and official capacity, and within the course and scope of his employment.
4. All events giving rise to this lawsuit occurred in the County of Van Buren, State of Michigan.
5. This lawsuit arises out of Defendants' violation of Plaintiff's federal constitutional rights as secured by the Fourth Amendment as it applies to the States through the Fourteenth Amendment to the United States Constitution and consequently, Plaintiff has a viable claim for damages under 42 U.S.C. § 1983.
6. Jurisdiction is vested in this Court pursuant to 28 U.S.C. § 1331 [federal question] and 28 U.S.C. § 1343 [civil rights].
7. That the amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), not including interest, costs, and attorney fees.

FACTS

8. Plaintiff realleges and incorporates by reference each and every paragraph of this Complaint as though fully set forth herein.

9. On November 24, 2020, Plaintiff was visiting his aunt's and cousin's home in Van Buren County, Michigan.
10. Upon information and belief, Plaintiff made statements that made his cousin uncomfortable and this cousin called 911.
11. Defendant TURNER responded to the 911 call at approximately 3:00 P.M. on November 24, 2020.
12. After arriving at the premises, Defendant TURNER placed Plaintiff under arrest for nonaggravated assault, handcuffed Plaintiff, and placed Plaintiff in the back seat of Defendant TURNER's squad car.
13. Plaintiff was compliant with, and non-resistant to, Defendant TURNER during his arrest.
14. Nonetheless, prior to leaving the premises and while Plaintiff was handcuffed in the back seat of the squad car, Defendant TURNER pepper-sprayed Plaintiff in the face and threatened him with the further use of force.
15. Defendant TURNER then drove with Plaintiff toward the Van Buren County Jail.
16. Defendant TURNER stopped his squad car on the side of the road while transporting Plaintiff to the Van Buren County Jail.
17. Defendant TURNER then forcibly pulled Plaintiff, who was still handcuffed, out of the back seat of the squad car and into the road, and struck Plaintiff about

face, head, and neck areas and dragging Plaintiff across the paved surface of the road.

18. Defendant TURNER then transported Plaintiff to the Van Buren County Jail.

19. As a result of Defendants' unreasonable and/or unlawful actions and/or inactions, Plaintiff suffered significant injuries and damages.

COUNT I
VIOLATIONS OF THE FOURTH AMENDMENT

20. Plaintiff realleges and incorporates by reference each and every paragraph of this Complaint as though fully set forth herein.

21. At all relevant times herein, the individual Defendants acted under color of law, within the scope and course of their employment, and in their official and individual capacities.

22. Defendants violated Plaintiff's clearly established and federally protected rights as set forth under the United States Constitution and the Amendments thereto, including, but not limited to, the Fourth Amendment of the United States Constitution to be free from unreasonable searches and seizures.

23. The actions of Defendants were at all times objectively unreasonable in violation of Plaintiff's clearly established rights under the Fourth Amendment to the United States Constitution which proximately resulted in significant injuries to Plaintiff.

24. Defendants are not entitled to qualified immunity because they violated Plaintiff's clearly established Fourth Amendment rights.

25. As a proximate result of the violations and/or deprivations of Plaintiff's constitutional rights by Defendants, Plaintiff has a viable claim for compensatory and punitive damages pursuant to 42 U.S.C. § 1983 together with costs, interests, and attorney fees as set forth in 42 U.S.C. § 1988.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an award in her favor and against Defendants in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest, costs, and attorney fees.

COUNT II
COUNTY OF VAN BUREN CONSTITUTIONAL VIOLATIONS

26. Plaintiff realleges and incorporates by reference each and every paragraph of this Complaint as though fully set forth herein.

27. Defendant COUNTY OF VAN BUREN acted recklessly and/or with deliberate indifference when they practiced and/or permitted customs and/or policies and/or practices that resulted in constitutional violations to Plaintiff.

28. That these customs and/or policies and/or practices included, but were not limited to, the following:

- a. Failing to adequately train and/or supervise their police officers so as to prevent violations of citizen's constitutional rights;
- b. Failing to adequately train and/or supervise police officers regarding reasonable searches and seizures;
- c. Failing to supervise, review, and/or discipline police officers whom Defendant COUNTY OF VAN BUREN knew or should have known were violating or were prone to violate citizens' constitutional rights, thereby permitting and/or encouraging their police officers to engage in such conduct; and
- d. Failing to adequately train and/or supervise their police officers in the proper policies and procedures for conducting reasonable searches and seizures.

29. Defendants' conduct demonstrated a substantial lack of concern for whether an injury resulted.

30. Defendants' acts and/or indifference and/or omissions were the direct and proximate cause of Plaintiff's injuries.

31. The facts as set forth in the preceding paragraphs constitute a violation of Plaintiff's Fourth and/or Fourteenth Amendment rights pursuant to 42 U.S.C. § 1983, and Plaintiff has a viable claim for compensatory and punitive damages plus interest, costs, and attorney fees as set forth in 42 U.S.C. §1988.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an award in Plaintiff's favor and against Defendants in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of costs, interest, and attorney fees.

Respectfully Submitted,
CHRISTOPHER TRAINOR & ASSOCIATES

s/ Christopher J. Trainor

CHRISTOPHER J. TRAINOR (P42449)

AMY J. DEROUIN (P70514)

Attorneys for Plaintiff

9750 Highland Road

White Lake, MI 48386

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Dated: January 4, 2022

CJT/jaa

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DEMAND FOR TRIAL BY JURY

NOW COMES Plaintiff, **JASON VASSIOS**, by and through his attorneys,
CHRISTOPHER TRAINOR & ASSOCIATES, and herby makes a demand for trial
by jury in the above-entitled cause.

Respectfully Submitted,
CHRISTOPHER TRAINOR & ASSOCIATES

s/ Christopher J. Trainor
CHRISTOPHER J. TRAINOR (P42449)
AMY J. DEROUIN (P70514)
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